



# EDWARD BROOKS

STATE REPRESENTATIVE

**Testimony – Assembly Bill 161  
Assembly Committee on Agriculture  
September 24, 2009**

Madame Chair and Members,

Thank you for holding a public hearing on Assembly Bill 161, a bill that will reimburse for damage caused by dogs. This bill is one that has been seen and heard about before. Last session Rep. Doc Hines introduced a bill which would have required a county to place into a separate dog damage reimbursement fund 25 percent of the dog license fees so that people who report to the county within five days the damage caused by dogs may be reimbursed. AB 161 is a re-draft of 2007 AB 446 as amended by the Committee on Agriculture last session.

Currently, a county must use money collected for quarantine and laboratory costs when a person is bitten by a dog and the owner of a dog is unknown. The remaining money can then be used to pay for dog damage claims and expenses incurred by a county pound or a humane society.

The original intent of the dog tax law was to provide relief for damages done to private property by dogs. In some cases, perhaps many cases in each county, this does not happen. Dog damage stories don't make the headlines often and former Rep. Hines recounted the story of a woman who lost 65 lambs as a result of dogs – her claim was never acted on because money was spent elsewhere.

From my own experience in town government there have been dog damage claims go unpaid for lack of money. My large animal veterinarian lost a potential club calf to dog damage. A year or two ago a fellow town board member lost a number of lambs to probable dog damage. These incidents prompted the re-drafting of this bill and I believe that these stories occur more often than we know.

This bill addresses the dog law in two ways to resolve the dog damage fund process to bring it back to its original intent. First the owner of a farm animal, dog, or cat that is injured or killed by another person's dog may make a claim for the damage if the owner files the claim within five business days. Secondly, the bill requires a county to place into a separate dog damage reimbursement fund 25 percent of the dog license fees that remain after making the required 5 percent payment to the state. This fund may be used only to pay claims by persons whose farm animals, dogs, or cats are injured by another person's dog, except that on March 1 any funds from the fees paid for dog licenses for the previous year that have not been used to pay dog damage claims may be returned to the dog license fund and used for the purposes allowed under current law.

AB 161 is important for people who have had animals hurt or killed by dogs and have thus far received no compensation. It will protect the intent of the original law. Thank you for holding this hearing on AB 161. I will be glad to answer any questions the committee may have.